

Substitute for Form 1449/PTO  
 INFORMATION DISCLOSURE  
 STATEMENT BY APPLICANT  
 (Use as many sheets as necessary)

Sheet

1

of

2

Complete if Known	
Application Number	90/007,487 & 10/805686
Filing Date	March 29, 2005
First Named Inventor	Morris
Art Unit	3635
Examiner Name	Naoko Slack
Attorney Docket Number	1913.17US05

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL <sup>1</sup>	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>10/10 known</sup>	Publication Date	Name of Patentee or Applicant of Cited Document
			MM-DD-YYYY	
NS		US 1,163,034	12/07/1915	Phippen
NS		Des 257,282	10/07/1980	Roberts
NS		Des 257,283	10/07/1980	Roberts
NS		US 3,185,070	05/25/1965	Smith
NS		US 3,889,892	06/17/1975	Melead
NS		US 3,949,657	04/13/1976	Sells
NS		US 4,178,914	12/18/1979	Erb
NS		US 4,418,505	12/06/1983	Thompson
NS		US 4,803,813	02/14/1989	Fiterman
NS		US 4,807,409	02/28/1989	Sells
NS		US 4,842,953	07/04/1989	Sells
NS		US 4,942,699	07/24/1990	Spinelli
NS		US 5,005,330	04/09/1991	Todisco
NS		US 5,022,314	06/11/1991	Waggoner
NS		US 5,048,689	09/17/1991	McFarland
NS		US 5,054,254	10/08/1991	Sells
NS		US 5,092,225	03/03/1992	Sells
NS		US 5,094,041	03/10/1992	Kasner, et al.
NS		US 5,099,627	03/31/1992	Coulton, et al.
NS		US 5,242,736	09/07/1993	Van Erden, et al.
NS		US 5,319,908	06/14/1994	Van Erden, et al.
NS		US 5,328,407	07/12/1994	Sells
NS		US 5,331,783	07/26/1994	Kasner, et al.
NS		US 5,349,804	09/27/1994	Van Erden, et al.
NS		US 5,419,867	05/30/1995	Van Erden, et al.
NS		US 5,427,571	06/27/1995	Sells
NS		US 5,471,807	12/05/1995	Vasquez
NS		US 5,577,360	11/26/1996	Gibbs
NS		US 5,603,657	02/18/1997	Sells
NS		US 5,641,551	06/24/1997	Simpson, et al.
NS		US 5,651,734	07/29/1997	Morris
NS		US 5,673,521	10/07/1997	Coulton, et al.
NS		US 5,711,116	01/27/1998	Hasan
NS		US 5,816,014	10/06/1998	Tzeng, et al.
NS		US 6,357,193	03/19/2002	Morris

EXAMINER SIGNATURE

/Naoko Slack/

DATE  
CONSIDERED

06/01/2006

Application Numbers: 91007487 &amp; 10/805686

Attorney Docket Number 1915.17US05

Sheet	2	of	2	
FOREIGN PATENT DOCUMENTS				
EXAMINER INITIAL*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Country Code <sup>2</sup> Number <sup>3</sup> Kind Code <sup>4</sup> (if known)		T <sup>5</sup>
NS	DE 44 21 941 A1	01/01/1996	Klober	(English translation enclosed)
NS	DE 2 939 730 A1	04/16/1981	Neumann	(English abstract only)
NS	WO 98/15701	04/16/1998	Hensey et al.	
NON PATENT LITERATURE DOCUMENTS				
EXAMINER INITIAL*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and country where published		
				T <sup>2</sup>
NS		Complaint for Patent Infringement, 2:04 CV 01005 PGC, U.S. District Court, District of Utah, 29 October 2004.		
NS		Answer to Complaint and Counterclaim, 2:04 CV 01005 PGC, U.S. District Court, District of Utah, 14 January 2005.		
NS		Reply to Defendant's Answer and Counterclaims, 2:04 CV 01005 PGC, U.S. District Court, District of Utah, 4 February 2005.		
NS		Memorandum of Law in Support of Plaintiff's Motion to Strike Defendant's Affirmative Defense of Inequitable Conduct, 2:04 CV 01005 PGC, U.S. District Court, District of Utah, 3 February 2005.		
NS		Opposition to Plaintiff's Motion to Strike Battels Plus' Defense of Inequitable Conduct, 2:04 CV 01005 PGC, U.S. District Court, District of Utah, 22 February 2005.		
NS		Reply Memorandum of Law in Support of Plaintiff's Motion to Strike Defendant's Affirmative Defense of Inequitable Conduct, 2:04 CV 01005 PGC, U.S. District Court, District of Utah, 28 February 2005.		
NS		Declaration of Randall T. Skaar, 2:04 CV 01005 PGC, U.S. District Court, District of Utah, 28 February 2005.		
NS		First Amended Answer and Counterclaims, filed 15 April 2005, U.S. District Court, District of Utah.		
NS		Reply to Defendant's First Amended Answer and Counterclaims, filed 3 May 2005, U.S. District Court, District of Utah.		
EXAMINER SIGNATURE	/Naoko Slack/		DATE CONSIDERED	06/01/2006

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with any communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reissue of the Patent must precede the serial number of the patent document. <sup>4</sup>Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST. 16 (if possible). <sup>5</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or result a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IDS - 03/29/2005

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

Sheet

1

of

1

Complete If Known

Application No.	16/805,866 & 90/007487
Filing Date	12/16/1999 (Issue Date: 3/19/2002)
First Named Inventor	Richard J. Morris
Art Unit	3635
Examiner Name	
Attorney Docket Number	34873/0006

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number - Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
NS	A	US 4,160,034	12-07-1975	Phipps
NC	B	US 4,418,505	12-05-1983	Thompson
NS	C	US 6,304,035	04-19-1994	Morris
NS	D	US 5,469,785	11-28-1995	Mooreman
NS	E	US 6,471,837	03-05-1995	Vasquez
NS	F	US 5,309,987	04-23-1993	Behlquist
NC	G	US 5,577,350	11-25-1995	Gibbs
NC	H	US 6,117,600	04-06-1997	Gibbs
NC	I	US 6,704,366	08-16-1998	Gibbs
NC	J	US 5,947,817	09-07-1999	Morris et al.

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> - Number <sup>3</sup> Kind Code <sup>4</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>5</sup>
NS	K	CB20022056 A	06-20-1981	Neumann	

## OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>4</sup>

Examiner Signature	/Naoko Slack/	Date Considered	06/01/2006
--------------------	---------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

PTO IDS Form SB/08A  
814731v1 34873/0006